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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/702,489	10/31/2000	Donald L. Glick	BRM0002	9825

27268 7590 03/29/2004

BAKER & DANIELS  
300 NORTH MERIDIAN STREET  
SUITE 2700  
INDIANAPOLIS, IN 46204-1782

EXAMINER

KOPPIKAR, VIVEK D

ART UNIT PAPER NUMBER

3626

DATE MAILED: 03/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/702,489

Applicant(s)

GLICK ET AL.

Examiner

Vivek D Koppikar

Art Unit

3626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 October 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10/31/2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

Art Unit: 3626

## **DETAILED ACTION**

### ***Status of Application***

1. This communication is in response to the application filed on October 31, 2000. As of the date of this communication no IDS statements have been filed on this application by the applicants. Claims 1-12 are pending in the application and have been examined.

### ***Claim Objections***

2. Claims 5 and 6 are objected to because of the following informalities: The meaning of the phrases “wherein said quote document is displayed and printed on the server” and “wherein said policy application is printed on said server” in claims 5 and 6, respectively, is not clear to the examiner. For the purposes of examination, this phrase will be interpreted as meaning that the quote information which is displayed to the user is derived or obtained from the stored information on the server.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-6 and 10-12 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent Number 4,567,359 to Lockwood.

Lockwood is directed towards an automatic information, goods and services dispensing forms.

Art Unit: 3626

As per claims 1-3, which are directed towards a computer network system, method and/or machine-readable program storage device for generating insurance policy information, Lockwood teaches a system which comprises the steps of a server generating an inquiry so that a user at a client computer can enter input in response to the inquiry. The input is sent to a central data processing center, which stores data entered by the user. The server, after receiving the initial input from the customer, then solicits any other necessary information from the customer in order to answer the queries. Based on this information an insurance calculation is conducting to determine the rates based on the input information. Next, relevant data are retrieved from data source, processed and sent to the terminal and this data contains information about insurance policies, including information such as quotes. Account and payment information can also be input and received by the data processing center so that a policy can be issued (Figure 1; Col. 1, Ln. 45 – Col. 2, Ln. 19; Col. 5, Ln. 37-55 and Col. 7, Ln. 61-68). Even though Lockwood does not explicitly state that the system could be used for a ministry or religious institution, the examiner takes the position that this use is within the scope of Lockwood which states that modifications to the scope can be made in the invention (Col. 9, Ln. 31-40).

Claim 2 differs from claim 1 in that it claims a method of generating an inquiry for insurance quotes and information, but includes all the limitations of claim 1.

Claim 3 differs from claim 1 in that it claims a machine-readable storage device for storing encoded instructions for a method of quoting, rating, and saving quote information for insurance transactions.

As per claim 4, Lockwood teaches that a user can request the data processing center to issue a policy based upon the data that is stored in the central data processor (Col. 4, Ln. 12-19; Col. 7, Ln. 14-24 and Col. 8, Ln. 3-19).

As per claims 5 and 6, in Lockwood the application (query) and quote information is derived from the central processing center (Figure 1).

As per claim 8, Lockwood provides policy information to the user (23) (Figure 1 and Col. 5, Ln. 37-55).

As per claim 10, the data entered by the user in Lockwood is stored on a server (central data processing center) (Col. 7, Ln. 60- Col. 8, Ln. 2).

As per claim 11, the policy, billing and account information in Lockwood are issued from the central data processing center (server) (Figure 1 and Col. 7, Ln. 25-Col. 8, Ln. 20).

As per claim 12, in Lockwood policy and billing information is automated. The examiner takes the position that the system of Lockwood provides quote and billing information as long as the input from the user is valid (within valid parameters) otherwise no policy information is displayed.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 3626

6. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Number 4,567,359 to Lockwood and in further view of US Patent Number 6,237,035 to Himmel et al.

Claim 7 defines a limitation that prohibits a user from making changes to quote information after the policy application has been requested. The examiner takes the position that this feature is present because the policy application which is provided by the server is specific to the type of information the user has entered during the inquiry phase of the transaction. Once a particular policy application is requested it is assumed that the transaction session is programmed such that only one type of application form can be provided in a given session and since the type of policy application which is provided is dependent on the user-inputted data, changing the data would make the session invalid.

Lockwood fails to teach the above mentioned feature; however, this feature is well known in the art as evidenced by Himmel. Himmel teaches a system for controlling and eliminated duplication transactions in a browser or a server. If a user inputs information corresponding to a first state and then resets the information to a second state (changes the information) the system ignores the submission request (prohibits the user from making changes) (Col. 2, Ln. 26-46 and Col. 3, Ln. 63- Col. 4, Ln. 28). At the time of the invention, it would have been obvious for one of ordinary skill in the art to have included this mechanism to prevent the user from changing the data once the application in Lockwood was requested with the motivation of preventing duplicate request submissions (as recited in Himmel).

Art Unit: 3626

7. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Number 4,567,359 to Lockwood and in further view of US Patent 5,867,821 to Ballantyne.

Lockwood fails to teach a user authentication system for the insurance quote and rate generator; however, this feature is well known in the art as evidenced by Ballantyne which includes a user authentication system in order for user to gain access to a website. This feature ensures that only authorized users have access to the system and information the website has to provide (Col. 8, Ln. 52-64). At the time of the invention, it would have been obvious for one of ordinary skill in the art to have included a user authentication system, as taught in Ballantyne, in the insurance quote generation system of Lockwood with the motivation of providing a means to ensure that only authorized users had access to the information that the system of Lockwood had to provide.

#### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent Application Publication 2001/0049611 is directed towards a method of electronically acquiring and distributing insurance policy to agent offices.

[www.progressive.com](http://www.progressive.com) is a website that provides insurance quotes online based on user input. The version of the website attached is an actual one that was online on November 28, 1999.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Vivek Koppikar** whose telephone number is (703) 305-

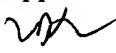
Art Unit: 3626

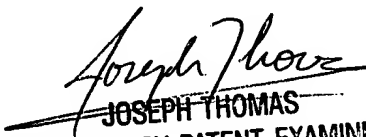
**5356.** The examiner can normally be reached on Monday-Friday from 8 AM to 5 PM, Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas, can be reached at (703) 305-9588. The fax phone number for the organization where this application or proceeding is assigned are (703) 872-9306.

10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Vivek Koppikar

  
3/22/04

  
JOSEPH THOMAS  
SUPERVISORY PATENT EXAMINER  
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